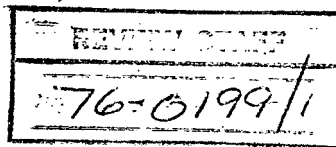


CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

5 February 1976

Mr. A. Searle Field  
Staff Director  
Select Committee on Intelligence  
House of Representatives  
Washington, D. C. 20515



Dear Mr. Field:

I have been informed that you have requested a copy of an unclassified paper entitled "Constitutional and Statutory Authority to Conduct Foreign Intelligence Activities." That paper is enclosed. This is to advise you that this paper was prepared by a lawyer and three student lawyers, all of whom were under contract to the Intelligence Community Staff to do unclassified research. The paper presented one point of view; it was not prepared under my supervision and never received official sanction as legal advice to the Director from the General Counsel.

25X1

I also enclose for your information [redacted] memorandum of law dated 24 October 1975 which I understand you already have a copy. Additionally, I understand that you have a copy of another unclassified paper on the general subject dated February 1975, entitled "The Use of Classical Espionage, Electronic Surveillance and Covert Action Under International Law and Pursuant to the Commander-in-Chief and Foreign Affairs Powers of the President," which was prepared under the supervision of this Office. In any event I am enclosing a copy for your convenience.

25X1

I want to assure you that the views expressed by [redacted] are consistent with Agency views, not only as reflected in our February 1975 memorandum, but also in other positions and memoranda prepared on other occasions. There are no "secret conclusions" that conflict with the public statements.

Sincerely,

25X1

[redacted]  
John S. Warner  
General Counsel

Enclosures

MORI/CDF Pages 1



House Select Committee Member/Staffer  
 Material Directed to: SECRET/SENSITIVE  
 Approved For Release 2006/08/21 : CIA-RDP91-00966R000200100002-5  
 Title/Subject of Transmitted Documents Document Date Document Classif. Comments

2/05/76 1 A. Searle Field fm John S. Warner Ltr transmitting requested copy of an uncl paper entitled "Constitutional and Statutory Authority to Conduct Foreign Intelligence Activities." The paper was prepared by a lawyer and three student lawyers all of whom were under contract to the Intelligence Community Staff to do unclassified research. The paper presented one point of view; it was not prepared under my supervision and never received official sanction as legal advice to the Dir fm the Gen Counsel.

Also enclosed are [ ]'s memo of law dated 24 Oct 75 and "The Use of Classical Espionage...President"; prepared under the supervision of this office.

The views expressed by [ ] are consistent with Agency view, not only as reflected in our Feb 75 memorandum, but also in other positions and memoranda prepared on other occasions. There are no "secret conclusions" that conflict with the public statements.

21 The Constitutional, Statutory and Legal Basis for Covert Action 10/24/75 None

23 The Use of Classical Espionage, Electronic Surveillance and Covert Action Under International Law and Pursuant to the Commander-in-Chief and Foreign Affairs Powers of the President by Office of General Counsel, CIA 02/75 None

53 Constitutional and Statutory Authority to Conduct Foreign Intelligence Activities; prepared by the Staff of the Legal Research Project for the Coordination Staff of the Intelligence Community Staff 09/05/75 None

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SECRET/SENSITIVE

Approved For Release 2006/08/21 : CIA-RDP91-00966R000200100002-5

Classified	Exempt from general declassification schedule of E.O. 11652 Exemption schedule 59 (1), (2), (3) Automatically declassified on Date 10/10/91 by 10-10-10
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